FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE ATTORNEY'S DOCKET NUMBER (REV. 10-2003) PATENT AND TRADEMARK OFFICE 10191/3730 TRANSMITTAL LETTER TO THE UNITED STATES U.S. APPLICATION NO. (If known, see 37 CFR 1.5) DESIGNATED/ELECTED OFFICE (DO/EO/US) 10/524129 **CONCERNING A FILING UNDER 35 U.S.C. 371** INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED: INTERNATIONAL APPLICATION NO PCT/DE03/02172 30 June 2003 10 August 2002 (10.08.02) (30.06.03) TITLE OF INVENTION METHOD. COMPUTER PROGRAM AND OPEN- AND/OR CLOSED-LOOP CONTROL UNIT FOR OPERATING AN ACTUATOR HAVING A CAPACITATIVE ELEMENT, AND INTERNAL COMBUSTION **ENGINE** APPLICANT(S) FOR DO/EO/US KNICKER, Rainer; SCHULZ, Udo; HUBER, Andreas; RUEGER, Johannes-Joerg Applicants herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information: 1. This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. \square This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include 3. 🗷 items (5), (6), (9) and (21) indicated below. 4. The US has been elected (Article 31). 5. 🗷 A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. \square is attached hereto (required only if not communicated by the International Bureau). b. E has been communicated by the International Bureau. c. \square is not required, as the application was filed in the United States Receiving Office (RO/US). 6. × An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. Is attached hereto. b. □ has been previously submitted under 35 U.S.C. 154(d)(4). Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) 7. × a \square are attached hereto (required only if not communicated by the International Bureau). b. \square have been communicated by the International Bureau. c. \square have not been made; however, the time limit for making such amendments has NOT expired. d. A have not been made and will not be made. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 8. 9. 🗷 An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) (unsigned). 10. An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. 🗷 An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. 🗆 An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. 🗷 A preliminary amendment.

19. 🗆

An Application Data Sheet under 37 CFR 1.76.

A power of attorney and/or change of address letter.

A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.

20. 🗵 Other items or information: International Search Report (translated), and Form PCT/RO/101.

A second copy of the published international application under 35 U.S.C. 154(d)(4).

A Substitute Specification and Marked-Up Version of the Substitute Specification

Express Mail No.: EV 321888562 US

The PTO did not receive the following listed Item(s) references or

14. 🗆

15. 🗷

16. 🗆

17. 🗆 18.

U.S. APPLICATION NO. (1) n/wr 5-27 AFR 1.52 ONTERNATIONAL APPLICATION NO. CT/DE03/02172				ATTORNEY'S DOCKET NUMBER 10191/3730	
21. The following fees are submitted:				CALCULATIONS	PTO USE ONLY
21. En The following fees are submitted.					
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):					
■ Basic National Stage Fee\$300.00					
☑ National Stage Search Fee\$400.00					
■ National Stage Examination Fee\$200.00					
TOTAL ABOVE CALCULATIONS =				 	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months From the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	15 - 20 =	0	X \$50.00	\$	
Independent Claims	4 - 3=	1	X \$200.00	\$200	
MULTIPLE DEPEND	ENT CLAIM(S) (if app	licable)	+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS = \$1,100.00					
☐ Applicant claims small entity status. See 37 CFR 1. 27. The fees indicated above are reduced by 1/2.				\$	
				;	
Processing fee of \$130.00 for furnishing the English translation later than 30 months					
From the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$1,100.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be Accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
+					
TOTAL FEES ENCLOSED =				\$1,100.00	
					\$
				Amount to be Refunded:	
				Charged	\$1,100.00
a. \(\simega \) A check in the amount of \(\\$ \) to cover the above fees is enclosed.					
b. Please charge my Deposit Account No. 11-0600 in the amount of \$1,100.00 to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. E The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any					
overpayment to Deposit Account No. <u>11-0600</u> . A duplicate copy of this sheet is enclosed. d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card					
information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
1 DUILLAN (b) A					
SEND ALL CORRESPONDENCE TO: KENYON & KENYON SIGNATURE					
One Broadway Richard L. Mayer (Reg. No. 22,490)					
New York, New York 10004 CUSTOMER NO. 26646 NAME Z//6/5					
DATE					